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# **2001 Special Session “C” Summary of Legislation Passed**



*Compiled and Edited by  
Office of the Senate Secretary*

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**Senate Committee on  
Appropriations**

**CS/SB 2-C — Appropriations; Provides Appropriations & Reductions in  
Appropriations for Fiscal Year 2001-2002**

by Appropriations Committee and Senator Carlton

This bill provides appropriations and reductions in appropriations for the 2001-2002 fiscal year, to pay salaries, and other expenses, capital outlay – buildings, and other improvements, and for other specified purposes of the various agencies of State government. *(All dollars shown in the following summary are in millions unless otherwise specified.)*

**STATEWIDE BUDGET IMPACT OF CS/SB 2-C**

**GENERAL REVENUE FUND**

BEGINNING FY 2001-2002 GENERAL REVENUE BUDGET	\$ 20.3 BILLION
REDUCTIONS TO GENERAL REVENUE IN CS/SB 2-C	<u>-\$ 1.029 BILLION</u>
REMAINING FY 2001-2002 GENERAL REVENUE BUDGET	\$ 19.3 BILLION
ADDITIONAL CS/SB 2-C GENERAL REVENUE REDUCTIONS EFFECTIVE 7/1/02	-\$381.1 MILLION
OTHER NONRECURRING FUNDS IN FY 2001-2002 BUDGET	<u>-\$508.1 MILLION</u>
RECURRING GENERAL REVENUE BUDGET EFFECTIVE 7/1/02	\$ 18.4 BILLION

**POSITIONS**

FY 2001-2002 POSITIONS AUTHORIZED	152,042
REDUCTIONS TO POSITIONS IN CS/SB 2-C	<u>-1,813</u>
REMAINING FY 2001-2002 POSITIONS	150,229
ADDITIONAL POSITIONS ELIMINATED EFFECTIVE 7/1/02	<u>-308</u>
POSITIONS REMAINING 7/1/02	149,921

**COMPARISON 2001-2002 WITH 2000-2001**

REMAINING FY 2001-2002 BUDGET AFTER CS/SB 2-C	
GENERAL REVENUE	\$ 19.3 BILLION
TRUST FUNDS	<u>\$ 35.4 BILLION</u>
TOTAL ALL FUNDS <sup>1</sup>	\$ 54.6 BILLION
FY 2000-2001 BUDGET – ALL FUNDS	<u>\$ 51.2 BILLION</u>
REMAINING FY 2001-2002 OVER FY 2000-2001	\$ 3.4 BILLION
REMAINING PERCENT INCREASE 2001-2002 OVER 2000-2001	6.64% <sup>1</sup>

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<sup>1</sup> Adjusted for appropriations provided by statute.

## EDUCATION

### WHAT WE DID NOT CUT:

#### Public Schools

**ASSESSMENT AND EVALUATION..... \$ 45.4**

Although current year funding for this program was not reduced, \$2.7 million was converted from recurring to non-recurring funding. In addition, the 2001-2002 appropriation base includes \$4.8 million from non-recurring Principal State School Trust funds.

**EXCELLENT TEACHING PROGRAM ..... \$ 28.0**

Although current year funding for this program was not reduced, \$2.4 million was converted from recurring to non-recurring funding.

**PUBLIC SCHOOLS MATCHING GRANTS PROGRAM..... \$ 1.3**

**EDUCATOR PROFESSIONAL LIABILITY INSURANCE ..... \$ 1.2**

**FEFP CATEGORICAL PROGRAMS..... \$ 862.5**

Although current year funding for these programs was not reduced, \$249.8 million was converted from recurring to non-recurring funding. Major FEFP categorical programs funded totally from non-recurring sources that will not be included in the base budget for 2002-2003 are Teacher Recruitment and Retention (\$152 million) and Public School Technology (\$62.4 million). Funding for Public School Technology was shifted from recurring General Revenue to non-recurring Lottery. Categorical programs funded partially from non-recurring sources are District Discretionary Lottery Funds/School Recognition Program (\$25 million from Lottery, which is 8.1% of the total \$308.8 adjusted appropriation) and Teacher Training (\$10.4 million, which is 29.0% of the total \$36.0 million adjusted appropriation).

#### Community Colleges

**HIGH DEMAND – RETURN ON INVESTMENT..... \$ 10.0**

**PROGRAM CHALLENGE GRANTS ..... \$ 7.0**

**FACILITIES MATCHING PROGRAM..... \$ 8.8**

#### Public and Private Colleges and Universities

**FLORIDA RESIDENT ACCESS GRANT (FRAG)..... \$ 70.8**

The number of students receiving FRAG awards for the current year exceeds the number appropriated and it is anticipated that the average annual award for students will be reduced by approximately \$143 per student or 5.3%. The FRAG appropriation, therefore, was held harmless from cuts. The appropriation was based on 26,370 FTE Students at \$2,686 per student.

The actual number of students receiving the FRAG award for the Fall Term totaled 28,064 FTE Students. An estimated 27,643 students are expected to receive an award in the Winter Term. Proviso language authorizes a proration of the award amount among all eligible students. The projected annual average number of students is 27,853, or 1,483 students higher than the number used in determining the appropriation. This reduces the average annual FRAG award from \$2,686 to \$2,543.

**STATE UNIVERSITY SYSTEM MATCH CHALLENGE GRANTS.....\$ 42.6**

No cuts were taken in the Eminent Scholars and Facilities Matching Challenge Grants programs due to the amount of unmatched private gifts and the leveraging of state funding that occurs because of the private matching.

**WHAT WE DID CUT:**

**Public Schools**

**ADMINISTRATIVE EXPENSE (PUBLIC SCHOOLS).....(\$ 3.8)**

The Executive Direction and Support Services budget was reduced by \$2.6 million; the immediate impact of this reduction was offset by the restoration of \$1.6 million from non-recurring funds. The \$2.6 million annualized reduction included an annualized reduction of 37 positions. The State Oversight and Assistance budget was reduced by \$1.2 million; the immediate impact of this reduction was offset by the restoration of \$0.1 million from non-recurring funds. The \$1.2 million annualized reduction included an annualized reduction of 19 positions.

**FLORIDA EDUCATION FINANCE PROGRAM (FEFP).....(\$ 334.0)**

Total potential FEFP funds (i.e., state formula funds, major state categorical funds, local required effort, and local discretionary taxes) were reduced by 2.46%. The 2001-2002 FEFP formula was recalculated. The Base Student Allocation was reduced \$114.70. Proportional reductions were made in the ESE Guaranteed Allocation and the Supplemental Academic Instruction allocation. The Hold Harmless was eliminated as a component of the current year funding formula. In its place, a new adjustment is included that guarantees that every district's percentage funding reduction will be the same.

**SMALL SCHOOL DISTRICT STABILIZATION PROGRAM.....(\$ 1.0)**

Funding for this program was eliminated consistent with a Senate policy to eliminate funding for new programs.

**EXTENDED SCHOOL YEAR.....(\$ 4.5)**

Information provided by the Department of Education indicates that the \$6.5 million appropriation balance will be sufficient to fully fund all participating schools in the 2001-2002 school year.

**GRANTS FOR READING PROGRAMS.....(\$ 2.7)**

All funding for Project Child (\$2.4 million) was shifted from recurring to non-recurring funds. Funding for the Florida Literacy/Reading Excellence Center (FLARE) was reduced by

\$260,581 (4.3%; \$3 million of the \$6 million appropriation base for FLARE was provided from non-recurring funds), and funding for the Northeast Florida Consortium Reading Initiative was reduced by \$47,296 (8.6%).

**ASSISTANCE FOR LOW PERFORMING SCHOOLS .....(\$ 0.9)**

Funding for Assistance for Low Performing Schools was reduced by \$944,000 (9.7%; all of the \$9.7 million appropriation base for Assistance for Low Performing Schools was provided from non-recurring funds).

**MENTORING INITIATIVES .....(\$ 3.5)**

Funding for the Governor’s Mentoring Initiative was reduced by \$62,500 (5.0%); funding for the PASS Project – Best Practices was reduced by \$520,000 (52%); funding for Take Stock in Children was reduced by \$1.3 million (30.2%); funding for Big Brothers /Big Sisters was reduced by \$1 million (50%); funding for Learning for Life was reduced by \$75,000 (5%); funding for Boys and Girls Clubs was reduced by \$500,000 (25%); and funding for the Florida Mentor Teacher Program was reduced by \$52,500 (5%). The appropriation base for all Mentoring Initiatives was provided from non-recurring funds.

**EDUCATION PARTNERSHIPS .....(\$ 3.9)**

Funding for Alternative Schools /Public-Private Partnerships was reduced by \$3.8 million (79.2%); and funding for the Florida Council on Economic Education was reduced by \$55,687 (8.6%).

**TEACHER PROFESSIONAL DEVELOPMENT .....(\$ 1.7)**

Funding for undesignated activities was eliminated (\$499,736); funding for superintendents’ training was reduced by \$72,600 (20%); funding for the Urban Teacher Residency Program was eliminated (50% of the reduction is effective now and the remaining reduction occurs at the end of the year); funding for the PAEC Staff Academy was reduced by \$67,200 (20%); and funding for the Minority Teacher Incentive Program was eliminated (50% of the reduction is effective now and the remaining reduction is effective at the end of the year).

**SCHOOL/INSTRUCTIONAL ENHANCEMENT.....(\$ 1.6)**

Funding for the Language Immersion Pilot - Volusia was reduced \$125,000 (50%); funding for the Language Immersion Pilot - Hillsborough was reduced by \$175,600 (50%); funding for the Middle School Summit was eliminated; funding for Youth Crime Watch was reduced by \$75,000 (30%); funding for math/science instruction was reduced by \$600,000 (20%); funding for Arts for a Complete Education was not reduced; funding for the Florida Holocaust Museum was reduced by \$550,000 (73.3%, of which \$282,500 is effective immediately and the balance is effective at the end of the year); funding for the State Science Fair was reduced \$15,000 (20%); and funding for the Academic Tourney was reduced by \$25,000 (20%).

**PUBLIC BROADCASTING .....(\$ 1.3)**

Funding for Public Broadcasting was reduced \$1.3 million (14.3%).

**Student Financial Assistance**

**STUDENT FINANCIAL ASSISTANCE.....(\$ 16.0)**

General Revenue reductions totaling \$4.1 million (6.1%) were applied to non need-based scholarships, effective July 1, 2002.

Reductions of \$11.9 million in Lottery were also made in the funding for Bright Futures scholarships for the 2002 Summer Term. Proviso language requires university presidents to address the financial needs of Bright Futures Scholarship recipients who are seniors enrolled in the Summer Term.

**Community Colleges**

**PERFORMANCE BASED INCENTIVES.....(\$ 0.6)**

Each college received a pro-rata reduction based on the individual college’s share of the three major appropriations to community colleges. These appropriations are the Workforce Development Grant Program, the Community Colleges Program Fund, and the Performance Based Incentives Program.

**COMMUNITY COLLEGES PROGRAM FUND.....(\$ 35.5)**

The net reduction for the current year to the program fund was \$32.3 million after the restoration of \$3.3 million with non-recurring General Revenue.

Each college received a pro-rata reduction based on the individual college’s share of the three major appropriations to community colleges. These appropriations are the Workforce Development Grant Program, the Community Colleges Program Fund, and the Performance Based Incentives Program.

**Workforce Development**

**WORKFORCE DEVELOPMENT.....(\$ 55.9)**

The net reduction for the current year to the workforce development grants was \$50.2 million after the restoration of \$5.6 million with non-recurring General Revenue.

Each school district received a pro-rata reduction based on its share of the original appropriation.

Each college received a pro-rata reduction based on the individual college’s share of the three major appropriations to community colleges. These appropriations are the Workforce Development Grant Program, the Community Colleges Program Fund, and the Performance Based Incentives Program.

**CRITICAL JOBS INITIATIVE.....(\$ 1.7)**

**ADULT HANDICAPPED FUNDS.....(\$ 1.2)**

Each school district and community college received a pro-rata reduction based on its share of the original appropriation.

**Public and Private Colleges and Universities**

**STATE UNIVERSITY SYSTEM EDUCATIONAL AND GENERAL LUMP SUM.....(\$ 93.3)**

The Educational and General Lump Sum provides the primary state funding for the universities. Universities were allocated a pro rata share of the cut for the Educational and General Lump Sum (7.9% annualized cut, 6.7% immediate cut). Proviso language authorizes the university presidents to determine where the cuts will be taken programmatically, subject to approval of the local board of trustees.

*Note: The universities also received an appropriation to spend student fee revenues that they are currently collecting because they are over-enrolled by approximately 8,000 FTE Students (\$30 million). This is consistent with the policy that allows community colleges to spend all of their fees.*

**CANCER CENTERS.....(\$ 0.8)**

Moffitt Cancer Center	\$ 0.7
University of Miami	\$ 0.1

**MEDICAL SCHOOLS/HEALTH SCIENCE CENTERS.....(\$ 12.4)**

Funding for Medical Schools and Health Science Centers was reduced by 7.4%, for each institution, as follows:

University of Florida	\$ 6.1
University of South Florida	\$ 3.6
Florida State University	\$ 1.1
University of Miami	\$ 1.2
Nova Health Programs	\$ 0.4

**MINORITY LEGAL EDUCATION SCHOLARSHIPS.....(\$ 2.0)**

The Minority Participation in Legal Education program (MPLE) was established in 1994 in lieu of establishing new free-standing law schools. The 2000 Legislature established new law schools at Florida Agricultural and Mechanical University and Florida International University. The annualized impact of the cut to the Minority Participation in Legal Education program and the Virgil Hawkins Scholarship reflects a policy to begin a 3-year phase out of these scholarship programs with the intent that each of the law schools in the state will address the needs of its students. The immediate cut in the MPLE program is approximately \$20,000, which reflects a 7% reduction in the administrative costs for the year.

**BRANCH CAMPUSES AND CENTERS.....(\$ 0.6)**

The majority of the funding appropriated in the Branch Campuses and Centers Lump Sum supports classroom instruction, therefore, cuts were held below 1% in this appropriation

category in order to not impede access for students. This cut will be allocated by the Florida Board of Education across 13 different sites.

**OTHER PRIVATE COLLEGE CUTS .....(\$ 0.7)**

Historically Black Colleges (7.4%)	
Bethune-Cookman	\$ 0.2
Edward Waters	\$ 0.2
Florida Memorial	\$ 0.2
Academic Program Contracts (7.4%)	\$ 0.1
University of Miami, Barry University, Florida Institute of Technology, Nova Southeastern University	

**OTHER STATE UNIVERSITY SYSTEM CUTS .....(\$ 18.9)**

The State University System was reduced by an average of 7.4% on its recurring general revenue base. Most of the line item appropriations in the State University System budget were reduced by 7.4% except as mentioned above and except for Targeted Baccalaureate Degrees, State Employee Vouchers, and I-4 Corridor.

	<u>Annualized</u>	<u>Immediate</u>
IFAS (7.4%)	\$ 8.1	\$ 7.0
I-4 Corridor		\$ 3.8
State Employee Vouchers	\$ 0.5	\$ 0.25
Targeted Baccalaureate Degrees		\$ 2.0
Library Resources (7.4%)	\$ 2.9	\$ 2.5
Student Financial Aid (7.4%)	\$ 1.6	\$ 1.4

## HEALTH AND HUMAN SERVICES

### WHAT WE DID NOT CUT:

#### Agency For Health Care Administration

**MEDICAID ELIGIBILITY FOR PREGNANT WOMEN .....\$ 34.4**

The Medicaid program currently covers pregnant women with incomes up to 185% of the federal poverty level. A proposal was considered that would reduce the optional program to 150% of the federal poverty level. This reduction was rejected because an estimated 5,150 pregnant women would have lost Medicaid coverage. The 6-month reduction for FY 2001-2002 was \$17.2 million that would have annualized to \$34.4 million in FY 2002-2003.

**NURSING HOME COUNTY BILLING.....\$ 20.0**

Counties are currently responsible for 35% of the total cost of Medicaid nursing home care in excess of \$170 per month not to exceed \$55 per month per person. This revenue is deposited into General Revenue Unallocated. A proposal was considered to increase the contributions

from counties by \$35 per person per month not to exceed \$90 per person per month. The 3-month impact in FY 2001-2002 was \$5 million that would have annualized to \$20 million in FY 2002-2003. This was rejected because of the level of impact on counties.

**REDUCE INGREDIENT COST OF DRUGS .....\$ 21.0**

The Medicaid program currently reimburses pharmacies for prescribed drugs at the average wholesale price (AWP) less 13.25%. A proposal was considered to reduce reimbursement to AWP less 15%. All of the 3,700 Medicaid participating pharmacies would have been affected. The 6-month reduction in FY 2001-2002 was \$10.5 million that would have annualized to \$21.0 million. The Medicaid pharmacy program will still be funded at nearly \$1.7 billion for FY 2001-2002.

**DELAY NURSING HOME STAFFING INCREASES .....\$ 56.7**

The 2001 Legislature passed CS/CS/SB 1202 that required increased staffing levels of 2.3 hours per resident from January 1, 2002 to July 1, 2002, and 2.6 hours per resident from January 1, 2003 to July 1, 2003. A proposal was considered to delay the staffing increases to May 1, 2002 that would have saved \$28.3 million in Medicaid per diem rate increases in FY 2001-2002 and would have annualized to \$56.7 million in FY 2002-2003.

**Department of Children and Family Services**

**FCO FUNDING FOR DOMESTIC VIOLENCE .....\$ 2.0**

The General Appropriations Act for FY 2001-2002 appropriated the sum of \$2 million for the construction, renovation, and maintenance of certified domestic violence centers across the state. Based on competitive bidding, the FCO funds will be allocated to centers serving Collier, Palm Beach, Pinellas, Leon, St. Johns, Monroe, Polk, Alachua, Bradford, Putnam, Union, Walton, Lee, Broward, Lake, Sumter, Escambia, Volusia, and Pasco Counties.

**HOMELESS CHALLENGE GRANTS .....\$ 4.0**

The Homeless Challenge Grants will fund a statewide continuum of care for homeless services. This funding will be allocated to lead agencies designated by the State Office of Homelessness.

**DEPENDENCY COUNSEL CONTRACTS.....\$ 3.5**

The General Appropriations Act for FY 2001-2002 provided \$3.5 million from recurring General Revenue to the Justice Administrative Commission in order to contract with private attorneys to represent the families of children whose custody is in dispute, and who cannot afford legal representation. Without legal representation, dependency judges will not hear termination of parental cases involving foster children who should be placed for adoption. This appropriation was considered for reduction, but, instead, the Conference appropriates a fund shift from General Revenue to the Grants and Donations Trust Fund in the amount of \$3.5 million. The source of cash for this fund shift will be excess earnings from the Department of Children and Families.

**RESIDENTIAL CARE PILOT.....\$ 15.4**

The General Appropriations Act for FY 2001-2002 included funding for 1) comprehensive residential services to children with extraordinary needs, and 2) model comprehensive

residential services programs for children with behavioral programs. This funding preserves the Senate initiative to improve out-of-home care for at-risk children.

**G. PIERCE WOOD MEMORIAL HOSPITAL CLOSURE**

The Legislature did not cut any funds dedicated to the closure of the G. Pierce Wood Memorial Hospital in Desoto County. The phase down will continue and community-based services will be enhanced in the G. Pierce Wood service area.

**MENTAL HEALTH SERVICES**

The Legislature did not reduce any mental health services during the special session.

**Department Of Health**

**BIOTERRORISM INITIATIVES .....\$ 2.6**

Throughout the reduction process care was taken to avoid reductions that might impact the Department of Health’s ability to respond to bioterrorism attacks. Key surveillance programs as well as laboratory services were not reduced. In fact, \$2.6 million and 10 positions were provided in the Administered Funds section of the bill to enable the Department of Health to expand their bioterrorism initiatives.

**Department of Veterans’ Affairs**

**CONSTRUCTION FUNDING FOR CHARLOTTE COUNTY VETERANS’ NURSING HOME.....\$ 4.0**

Veterans’ nursing homes provide long-term care for U.S. Veterans who have been residents of the State of Florida for at least one year and need nursing home care. The Department currently has three operational nursing homes and one domiciliary home. Two new nursing homes, Bay and Charlotte County, were approved and funded during FY 2000-2001 and FY 2001-2002 with 65% federal matching funds. A proposal was considered to rescind funding for the Charlotte County Veteran’s Home; it was, however, rejected.

**WHAT WE DID CUT:**

**HEALTH AND HUMAN SERVICES ADMINISTRATIVE REDUCTIONS .....(\$ 16.4)**

As a statewide initiative to reduce recurring General Revenue spending, administrative reductions of 25% within each department were identified. Of the cuts taken, 20% could be restored as non-recurring General Revenue for the current year. To restore these positions and funding in FY 2002-2003, legislative action will be necessary in the 2002 Legislative Session. Having reviewed the potential negative effect of the 25% reduction on the Department of Children and Family Services, the Senate position moved to a 12.5% annual reduction of FTEs instead of 25%. No FTEs were restored, but 50% of the annual reduction was restored with non-recurring General Revenue in order to account for the first six months of FY 2001-2002.

Within the Agency for Health Care Administration, 218 FTE and \$3.5 million was reduced in recurring General Revenue; 175 FTE and \$2.8 million was restored for the current year with non-recurring General Revenue. Within the Department of Children and Family Services, 351

FTE and \$9.5 million was reduced in recurring General Revenue. Within the Department of Elder Affairs, 5 FTE and \$251,745 was reduced in recurring General Revenue. Within the Department of Health, 102 FTE and \$3.1 million was reduced in recurring General Revenue; 84 FTE and \$3.7 million was restored in the current year with non-recurring trust fund dollars. Within the Department of Veterans' Affairs, 1 FTE and \$37,667 was reduced in recurring General Revenue.

### **Agency for Health Care Administration**

#### **MEDICAID CHOICE COUNSELING.....(\$ 2.7)**

Medicaid clients must enroll in managed care plans. Clients have 30 days to select a managed care option (MediPass, HMO, PSN or CMS). Clients not selecting a plan are assigned to mandatory choice counseling. Medicaid contracts with Medicaid Options to assist clients in selecting a managed care plan through counseling and educational materials. This reduction eliminates the contract and provides for information through brochures. The reduction of \$1.3 million in FY 2001-2002 was restored through June 30, 2002. This annualizes to a reduction of \$2.7 million in FY 2002-2003.

#### **MEDICALLY NEEDY PROGRAM FOR ADULTS .....(\$ 284.6)**

Medically Needy clients are eligible for Medicaid because of high medical costs that decrease their income to Medicaid eligibility standards. It is an optional Medicaid program but it does serve the chronically ill. An estimated 18,687 individuals will lose coverage effective July 1, 2002. The 6-month reduction of \$142.3 million was restored through June 30, 2002. This annualizes to a reduction of \$284.6 million in FY 2002-2003.

#### **ADULT DENTAL, VISUAL AND HEARING SERVICES .....(\$ 30.8)**

Medicaid covers limited dental, visual, and hearing services for adults. The adult caseload for dental services is 57,981; 123,493 for visual services; and 8,764 for hearing services. The 6-month reduction of \$15.4 million in FY 2001-2002 was restored through June 30, 2002. This annualizes to a reduction of \$30.8 million in FY 2002-2003.

#### **VARIABLE DISPENSING FEE FOR PRESCRIBED DRUGS.....(\$ 7.9)**

Medicaid currently reimburses pharmacies at the average wholesale price less 13.25% plus a dispensing fee of \$4.23 per script. This issue provides an incentive of 50 cents for dispensing of a Medicaid formulary (preferred-drug-list) product and a reduction of 50 cents for the dispensing of a non-formulary product. It is estimated that this policy change will increase compliance with the preferred-drug list by 10% and will increase supplemental manufacturer rebates by 10%. The 6-month reduction in FY 2001-2002 totals \$3.9 million. This annualizes to \$7.9 million in FY 2002-2003.

#### **HOME HEALTH FEE INCREASES .....(\$ 3.0)**

This issue eliminates the 11% fee increase for home health visits by licensed nurses and the 13% fee increase for home health aide visits authorized in the General Appropriations Act for 2001-2002. This would affect approximately 477 home health agencies. The 6-month reduction of \$1.5 million was restored through June 30, 2002. This annualizes to a reduction of \$3.0 million in FY 2002-2003.

**TICKET TO WORK PROGRAM ..... (\$ 7.7)**

The Ticket to Work program was authorized to be implemented April 1, 2002 in the General Appropriations Act for FY 2001-2002. This program provides Medicaid coverage to certain working disabled persons with disabilities ages 16 to 64. An estimated 1,500 working disabled individuals would lose Medicaid coverage effective July 1, 2002. The 3-month reduction of \$1.9 million in FY 2001-2002 was restored through June 30, 2002. This annualizes to a reduction of \$7.7 million in FY 2002-2003.

**MEDICAID FRAUD AND ABUSE..... (\$ 21.6)**

The Medicaid program currently uses a variety of preventive, detection, investigative, and sanctioning strategies to minimize fraud and abuse. This issue expands the fraud and abuse initiatives to place increased controls on providers, additional prior authorization of services, increased third party recovery, increased recovery of overpayments, etc. The net reduction in FY 2001-2002 of \$9.9 million includes a 6-month reduction of \$14.3 million from Medicaid services and an increase of 28 positions and \$4.4 million for administration. This annualizes to a net reduction of \$21.6 million in FY 2002-2003.

**ELIMINATE THE PHARMACEUTICAL DISPENSING FEE INCREASE FOR NURSING HOME RESIDENTS AND OTHER INSTITUTIONAL RESIDENTS ..... (\$ 1.6)**

Institutional pharmacies received a 50-cent increase to the dispensing fee from \$4.23 to \$4.73 on July 1, 2001. There are an estimated 47,000 nursing home residents who receive drugs through institutional pharmacies. The 6-month reduction of \$ 0.8 million in FY 2001-2002 was restored through June 30, 2002. This annualizes to a reduction of \$1.6 million in FY 2002-2003.

**FLORIDA HEALTHY KIDS SHIFT TO TITLE XXI ..... (\$ 7.0)**

The Florida Healthy Kids Program currently provides health insurance for school age children eligible under the federal Title XXI program and serves other children not eligible under the federal program. This reduction reflects the federal Title XXI reimbursement for state expenditures made for recipients subsequently determined eligible in the Florida KidCare program. This reduction has no impact on clients. This is a one-time reduction of \$7 million in FY 2001-2002.

**MAIL ORDER PHARMACY PILOT PROGRAM FOR DIABETICS ..... (\$ 4.3)**

The Medicaid program currently operates a pilot mail-order-pharmacy diabetes-supply program in a limited geographic area. There are approximately 7,000 eligible diabetic patients enrolled in the demonstration project. This issue expands the current mail order program to include all generic and brand-name drugs used by Medicaid patients with diabetes. Recipients in the program may obtain nondiabetes drugs on a voluntary basis. The six-month reduction in FY 2002-2002 totals \$2.2 million and annualizes to \$4.3 million in FY 2002-2003.

**PHARMACEUTICAL EXPENSE ASSISTANCE PROGRAM ..... (\$ 22.5)**

The Pharmaceutical Expense Assistance Program was authorized by the 2000 Legislature to provide pharmaceuticals for certain elderly individuals. The program was funded at \$30 million that was estimated to serve around 31,000 elders with an average monthly subsidy of \$80. For the six months the program was operational in FY 2000-2001, an average of 6,818 elders were serviced at an average monthly cost of \$57.06. Only 40% of the elders utilize the \$80 monthly

subsidy. The annualized reduction of \$22.5 million in FY 2001-2002 would leave the program with \$7.5 million to serve an estimated 10,953 elders at an average cost of \$57.06.

**NURSING HOME CONSUMER SATISFACTION SURVEY.....(\$ 0.5)**

Current law establishes a formal mechanism for assessing consumer satisfaction in nursing homes. The Agency is required to report the results of the surveys in consumer information materials distributed to the public. Due to the amount of anticipated costs and workload, the Agency has been unable to contract with an outside entity to perform the survey at the current funding level. The annualized reduction in FY 2001-2002 is \$500,000.

**NURSING HOME UP-OR-OUT PROGRAM.....(\$ 2.9)**

The 2001 Legislature passed CS/CS/SB 1202 that included \$3 million for the Nursing Home Up-or-Out pilot project to demonstrate quality of care in nursing homes in selected counties. The reduction of \$2.9 million in FY 2001-2002 would leave \$100,000 for administration.

**REDUCE MEDS/AD PROGRAM FROM 90% OF FPL TO 88% OF FPL .....(\$ 64.1)**

The Medicaid program currently covers 93,218 elderly and disabled individuals of which 11,217 have incomes above the SSI level and 90% of the federal poverty level. This issue reduces the income standard to 88% of the federal poverty level. The majority of these individuals are eligible for Medicare and Medicaid will continue to pay their Medicare premiums, coinsurance, and deductibles. An estimated 1,438 persons will lose all Medicaid coverage effective July 1, 2002. The 6-month reduction in FY 2001-2002 totals \$27.6 million and was restored through June 30, 2002. This annualizes to \$64.1 million in FY 2002-2003.

**REDUCE THE AIDS CARE WAIVER .....(\$ 10.0)**

The Project AIDS Care (PAC) Waiver is a home and community-based program that was implemented in November 1, 1989. The program provides a variety of home and community-based services to qualified persons. This reduction eliminates nonessential medical services and implements limits on certain other services. The annual caseload for the AIDS Waiver is 8,500. The reduction in FY 2001-2002 is \$5 million and annualizes to \$10 million in FY 2002-2003.

**BRAND NAME DRUG PATENT EXPIRATIONS .....(\$ 5.9)**

This issue reduces the Medicaid prescribed medicine program by \$5.9 million in FY 2001-2002 as a result of certain brand name drugs coming off patent during the fiscal year.

**Department of Children and Family Services**

**FCO FOR MAINTENANCE AND REPAIRS TO STATE INSTITUTIONS .....(\$ 1.75)**

The General Appropriations Act for FY 2001-2002 appropriated \$3.5 million in non-recurring trust funds for general maintenance and repairs to state institutions in the Department of Children and Families. The Conference Report reduces this non-recurring appropriation by \$1.75 million.

**TEACHER EDUCATION AND COMPENSATION HELPS (TEACH) .....(\$ 3.0)**

The TEACH Program provides scholarships to eligible child care personnel pursuing educational opportunities beyond the minimum mandatory training required by the state for entry level positions. The Conference Report eliminates this program by reducing the

appropriation by \$1,238,600 for FY 2001-2002, and annualizing the reduction for FY 2002-2003 by an additional \$1,761,400 for a total of \$3,000,000.

**DCF DATA CENTER ADMINISTRATION.....(\$ 5.0)**

In order to effect administrative efficiencies in the DCF Data Center, the Conference Report reduces this appropriation to the center by the annual sum of \$5 million. Of the total reduction, \$1 million applies to the HomeSafenet Project, and \$4 million applies to the total Salaries and Computer Related Expenses. A reduction of \$4.5 million will apply to FY 2001-2002.

**REPLACEMENT OF DCF MOTOR VEHICLES.....(\$ 1.0)**

The General Appropriations Act for FY 2001-2002 appropriated \$1 million in recurring General Revenue for the replacement of motor vehicles in the Department of Children and Families. This appropriation will not be needed because the fleet of cars now assigned to G. Pierce Wood Hospital will be available to the rest of the state when G. Pierce Wood closes later this fiscal year. The Conference Report eliminates this \$1 million appropriation.

**SEXUALLY VIOLENT PREDATOR PROGRAM .....(\$ 0.3)**

In renegotiating the Sexually Violent Predator Program contract, the Department of Children and Families was able to save \$300,000 in recurring General Revenue. Services will not be impacted by this reduction.

**PERSONAL PLANNING GUIDE.....(\$ 2.5)**

Funding was eliminated for the Personal Planning Guide, an automated registration and information system in the Persons with Disabilities Program in the Department of Children and Families. This reduction will have no impact on client services.

**REINVEST INDIVIDUAL FAMILY SUPPORTS FUNDING.....(\$ 2.8)**

Funding was reduced by 20% in General Revenue for Individual Family Supports Services. This provides services to individuals who are eligible for the Home and Community Based Services Waiver (HCBSW), as well as, non-eligible individuals who are receiving services from a General Revenue funded only program. In order to offset this reduction the Legislature increased funding by \$3.2 million in the HCBSW to serve individuals who would no longer receive services from Individual Family Supports.

**CHOICE AND CONTROL PILOT PROJECTS.....(\$ 0.8)**

Funding was eliminated for the Choice and Control Pilot Projects in Persons with Disabilities Program in the Department of Children and Families. This reduction will not impact services provided to individuals with developmental disabilities; the pilot project is scheduled to end on June 30, 2002. Individuals currently receiving services under this pilot project will be moved to the Home and Community Based Services Waiver.

**SUBSTANCE ABUSE SERVICES IN THE CRIMINAL JUSTICE PROGRAM.....(\$ 8.5)**

This reduction eliminates detoxification and treatment services for adults and children involved in the criminal justice system who are served by the Department of Children and Families. An estimated 28,148 individuals will lose services effective June 30, 2002 unless the Substance Abuse Federal Block Grant is increased for FY 2002-2003.

**CASH ASSISTANCE FUND SHIFT .....(\$ 13.5)**

In order to make maximum use of excess trust fund earnings in the Department of Children and Families, the Conference Report reduces the recurring General Revenue appropriated in Cash Assistance by \$13.5 million and replaces the reduction with trust fund. This fund shift is expected to recur in FY 2002-2003.

**ELIMINATION OF UNNECESSARY REDUCTIONS IN FAMILY SAFETY .....(\$ 1.2)**

The Conference Report includes a reduction of \$1,157,746 for the elimination of unnecessary studies in Family Safety. This reduction provides for elimination of two projects: 1) the Community Based Family Resource Program Grant, and 2) a contract with the Chiles Center to study the department's recruitment and retention practices.

**Department of Elder Affairs**

**HOME CARE FOR THE ELDERLY .....(\$ 2.0)**

Funding was reduced for Home Care for the Elderly services in the Department of Elder Affairs. This reduction will eliminate services for 1,114 elderly individuals. The Department plans to move as many eligible individuals as possible to the Home and Community Based Services Waiver for services.

**NURSING HOME DIVERSION WAIVER.....(\$ 2.0)**

Funding is reduced for the expansion of the Nursing Home Diversion Waiver in the Department of Elder Affairs. This reduction will eliminate an estimated 70 waiver slots from the diversion project.

**ALZHEIMER'S DISEASE INITIATIVE – RESPITE SERVICES.....(\$ 2.0)**

Funding is reduced for respite services in the Alzheimer's Disease Initiative Program in the Department of Elder Affairs. An estimated 334 elderly individuals will lose services effective June 30, 2002 as a result of this reduction.

**Department of Health**

**TOBACCO PILOT PROGRAM .....(\$ 7.5)**

The Tobacco Pilot Program uses educational programs, youth programs and the media to inform children and adults about the marketing strategies of tobacco companies as well as the health risks associated with tobacco use. Nearly \$30 million remains in the program to continue the highly successful prevention efforts.

**ELIMINATE PRIMARY CARE CHALLENGE GRANT .....(\$ .5)**

This program in Marion County provides primary care services to low-income individuals to avoid costly, and sometimes unnecessary, emergency room use. This was the only program funded out of the grant initiative. Statewide, there is nearly \$86 million left in the budget to be spent on primary care services throughout the county health department network.

**REDUCE THE FULL SERVICE SCHOOLS PROGRAM .....(\$ 1.5)**

The Full Service Schools Program provides nutritional services, economic assistance services, parenting skills training, substance abuse and mental health counseling, and other social and health related services to at risk-students and their families. The program will have about \$9.5 million in state and federal funds to continue services this year.

**GENERAL REVENUE SUPPORT FOR COUNTY HEALTH DEPARTMENTS.....(\$ 2.9)**

County Health Departments are supported by state General Revenue and local funding, as well as federal grants. On September 30, 2001 the County Health Department Trust Fund had an adjusted balance of \$58.8 million. Part of this balance is attributed to interest earnings that for FY 2000-2001 amounted to \$5.8 million. This reduction equates to 50% of the interest earned in FY 2000-2001.

**CHILDREN'S MEDICAL SERVICES LOWER PRIORITY PROGRAMS .....(\$ 0.6)**

Three programs were identified as lower priority programs and have been reduced and restored with non-recurring funds for the remainder of this fiscal year. These programs are Teratogen Information Services, Pediatric Liver Transplant Program, and the Children's Cardiac Program.

**REDUCE TRAUMA CARE SERVICES.....(\$ 1.5)**

The resources were used to conduct a comprehensive statewide study of trauma services costs and to procure computer hardware to transfer the Brain and Spinal Cord computer system from the Department of Education to the Department of Health. These funds have also been used to cover the costs of site visits, which are required by law, to verify the trauma status of hospitals that are so designated. The Department planned to use these funds to assist in the training of healthcare personnel, to support Executive Order #01-300.

**BUILDING CONSTRUCTION PROJECTS .....(\$ 1.0)**

An analysis of fixed capital outlay appropriations for construction of local health facilities disclosed nearly \$1.0 million in unspent funds that were no longer required for project completion. These projects were located in Orange and Nassau counties.

**FUND SHIFTS FROM GENERAL REVENUE TO TRUST FUNDS**

Several fund shifts from General Revenue funds to agency trust funds were used to mitigate reductions while reducing General Revenue expenditures. These included a shift of \$2.5 million from the Emergency Medical Services Trust Fund to the Rural Hospital Grant Program. Also, \$3.5 million was shifted from the Administrative Trust Fund on a recurring basis to pay for agency administrative activities and \$6.9 million in Tobacco Settlement Trust Fund dollars were used to cover a shift of General Revenue from the School Health Program.

**Department of Veterans' Affairs**

**VETERANS' AFFAIRS FUND SHIFTS AND REDUCTIONS .....(\$ 0.4)**

Within the Department of Veterans' Affairs, reductions in recurring General Revenue were attained through shifting funds from General Revenue to Trust for four positions at a FY 2001-2002 savings of \$207,681. The annualized reduction is \$415,362. Non-recurring General Revenue funding reappropriated for start-up funding for the Pembroke Pines Nursing Home in

Broward County was reduced by \$265,000. The General Revenue reductions described have no impact on services to Florida's veterans.

## **PUBLIC SAFETY AND JUDICIARY**

### **WHAT WE DID NOT CUT:**

**PRISON BEDS, CORRECTIONAL OFFICERS AND HEALTH SERVICES TO INMATES ..... \$ 1.25 BILLION**

Because funding for prison beds, correctional officers, and health services to inmates was NOT cut, the time served by prison inmates will NOT be shortened. Offenders sentenced to prison today can expect to serve at least 85% of their sentences behind bars.

**MODERATE, HIGH, AND MAXIMUM RISK JUVENILE COMMITMENT AND DETENTION CENTER BEDS ..... \$ 397.7**

There were no reductions in the number of Moderate, High, or Maximum risk juvenile commitment and treatment beds and detention center beds that are currently operational. Funding for these beds as well as the accompanying rehabilitative treatment services provided to delinquent juveniles in these facilities (mental health, drug abuse, education, and other treatment services) remains unchanged.

**JUVENILE AFTERCARE, DAY TREATMENT, CONDITIONAL RELEASE, AND NON-RESIDENTIAL DELINQUENCY REHABILITATION SERVICES ..... \$ 46.6**

Funding for existing contracts for juvenile aftercare, day treatment, conditional release, and non-residential delinquency rehabilitative treatment services was not reduced. These critical rehabilitative and treatment services, provided to delinquent juveniles through contract vendors such as Eckerd Youth Development and Associated Marine Institutes, will continue at existing funding levels.

**OPERATIONAL FUNDING FOR NEW SPECIALIZED JUVENILE JUSTICE COMMITMENT AND TREATMENT FACILITIES ..... \$ 18.6**

The majority of funding provided during this fiscal year, more than \$18 million of operational funding needed to bring 414 new specialized juvenile justice commitment and treatment facilities on-line, was preserved during special session. This figure represents 68% of the increased funding originally provided by the Legislature to bring new beds on-line this year. These new beds will provide specialized intensive mental health and substance abuse treatment services to delinquent juvenile offenders.

**BASE FUNDING FOR JUVENILE ASSESSMENT CENTERS ..... \$ 5.4**

Base level funding for juvenile assessment center operations was not reduced in the final conference report. State-funded juvenile assessment center base allocations will continue at existing levels with no increased costs to county governments. These centers provide essential support to local law enforcement officers by providing a quick drop-off point for intake and assessment of juvenile delinquents.

**STATE COURT SYSTEM – FUNDING FOR JUDGES AND CORE SERVICES**

**INCLUDING: GUARDIAN AD LITEM, MODEL DEPENDENCY, AND JURY OPERATIONS ..... \$ 294.4**

Reductions to Florida’s state court system were minimized by utilizing every available unobligated trust fund dollar for an overall net reduction of only \$2.7 million. Funding for new judges as well as for all core trial court operations, including guardian ad litem services, dependency court, jury operations, etc., remains intact. Trust fund balances in the Article V Trust Fund were used (through fund shifts of General Revenue) to support county court operations.

**SOLICITOR GENERAL ..... \$ 0.13**

The Solicitor General and his chief assistant were not cut in the final conference report. Funding will continue to support this activity within the Department of Legal Affairs.

**FUNDING FOR EXPERT WITNESSES IN SEXUALLY**

**VIOLENT PREDATOR CIVIL COMMITMENT COURT CASES ..... + \$ 1.3**

In response to the concerns expressed by State Attorneys and Public Defenders regarding a projected shortfall in funding for expert witnesses and case-related costs for pending sexually violent predator (SVP) civil commitment court cases, the Legislature appropriated an additional \$1.3 million of new funding. These additional funds will ensure the availability of resources necessary to prosecute and defend all SVP civil commitment cases through the end of this fiscal year.

**DEPARTMENT OF LAW ENFORCEMENT INVESTIGATIONS AND DOMESTIC SECURITY ..... \$ 247.1**

No funding reductions were made to the Department of Law Enforcement for ANY activity that might hamper the Department’s Domestic Security Initiatives. FDLE’s budget remains intact to combat terrorist threats and to protect the safety of Floridians.

**WHAT WE DID CUT:**

**STATE AGENCY ADMINISTRATIVE BUDGETS AND POSITIONS ..... (\$ 20.8) & (347) FTE**

State agency administrative costs and positions are reduced significantly, with some agencies cut by as much as 23%. These administrative reductions were key to mitigating reductions to direct services.

**CORRECTIONAL PROBATION OFFICERS ..... (\$ 19.1) & (409) FTE**

The Department of Corrections Probation Program was cut next year by some \$19.1 million and 409 FTE. Reductions to the current year Probation Program budget total only \$900,000 and will not result in any current year position reductions. Next year’s budget reduction, however, will decrease the number of Probation Officers and will increase average probation caseloads from 1:67 to 1:79. About half of the FTE eliminated next year are supervisors and clerical staff. During this fiscal year, no probation officer should lose his or her job and the department should be able to manage next year’s reduction over a 12-month period through employee attrition thereby minimizing the impact to public safety and probation employees.

**EDUCATION AND SUBSTANCE ABUSE TREATMENT SERVICES TO INMATES AND OFFENDERS SENTENCED TO COMMUNITY SUPERVISION..... (\$ 26.7) & (85) FTE**

Reductions were made to educational services in prisons as well as to substance abuse treatment for inmates and probationers. In addition, reductions were also made to some non-residential drug treatment programs. Funding was not reduced for inmate health services and substance abuse detoxification treatment. To the greatest extent possible, reductions to educational services will not include cuts to literacy and GED programs.

**JUVENILE PROBATION PROGRAM..... (\$ 12.0) & (270) FTE**

Reductions were also made in juvenile probation programs, however, most of these reductions will be made by eliminating administrative and mid-level managers / regional office staff resulting in minimal reductions to probation officer staff. Probation caseload ratios should not increase by more than 10% above existing ratios, from 1:46 to 1:51.

**REDUCED FUNDING FOR JUVENILE COMMITMENT/ TREATMENT BEDS NOT YET ON-LINE (OPERATIONAL)..... (\$ 8.5)**

A portion of funding (\$8.5 million) provided in the current year budget to fund the operations of juvenile commitment beds scheduled to come on-line from February – June 2002, was eliminated. The Legislature’s first priority was to preserve funding for commitment beds currently on-line and operational, followed by funding for specialty mental health and substance abuse treatment beds slated to come on-line prior to February 2002. These additional funds that have been cut would have supported an additional 738 juvenile commitment/treatment beds. Until such time as sufficient General Revenue funds become available to operate these beds, the facilities will be “moth-balled,” thereby preserving the state’s capital investment in facilities.

**REDUCED FUNDING FOR THE CHILDREN IN NEED OF SERVICES/ FAMILIES IN NEED OF SERVICES (CINS/FINS) PROGRAM..... (\$ 5.6)**

This issue reduces funding for physically and staff-secure CINS /FINS shelters (\$3.6 million) and general CINS/FINS ancillary services (family counseling) by \$2 million annually. Overall, the reduction to juvenile delinquency prevention services budget totals \$10.8 million, equaling a 15% annualized reduction.

**FUND SHIFT GENERAL REVENUE EXPENDITURES TO ARTICLE V TRUST FUND ..... (\$ 26.0)**

Budget reductions include a \$26 million General Revenue Fund shift to the current year, the unobligated balance of Article V Trust Funds. These surplus trust fund balances exist largely due to the Governor’s veto of current fiscal year Article V Trust Fund appropriations made to counties. The conference report requires these trust funds be spent in support of county trial court operations. The use of these trust fund dollars made it possible for the Legislature to make minimal reductions to the state court system budget, and in fact, vital court system services / activities, including funding for guardian ad litem services, dependency court, jury operations, and judges, is NOT reduced.

**JUSTICE ADMINISTRATION – STATE ATTORNEYS, PUBLIC DEFENDERS, CAPITAL COLLATERAL REGIONAL COUNSELS ..... (\$ 18.8)**

General Revenue funding for State Attorneys, Public Defenders, and Capital Collateral Regional Counsels is reduced by 2.3%. To help mitigate these reductions to General Revenue, however, \$10 million in trust funds are provided to these programs reducing their annualized

net reduction to \$8.8 million. State Attorneys and Public Defenders are provided flexibility in the budget to implement these reductions in a manner that protects core functions to the extent possible that include employee furloughs in lieu of permanent lay-offs.

**REDUCE ADMINISTRATIVE COSTS PAROLE COMMISSION.....(\$ 0.5)**

Funding is reduced for Parole Commission administrative activities (accounting, network services, etc.). Because the Parole Commission and Department of Corrections (DOC) are co-located in the same office building and also due to DOC's size and economies of scale, Parole Commission administrative support activities will be provided free of charge by the Department of Corrections.

## **GENERAL GOVERNMENT**

### **WHAT WE DID NOT CUT:**

**ENVIRONMENTAL PROGRAMS .....\$ 425.0**

Environmental land acquisition programs, including Florida Forever, Everglades Restoration, and Save Our Rivers.

**FLORIDA STATE PARK SYSTEM .....\$ 120.3**

Continued funding levels for operations, maintenance, and development of our State Park System.

**LAW ENFORCEMENT .....\$ 252.1**

Law enforcement services which would negatively impact our ability to respond to anti-terror or other public health and safety activities that protect our citizens and visitors.

Department of Agriculture and Consumer Services	\$ 13.5
Department of Environmental Protection	\$ 27.8
Fish and Wildlife Conservation Commission	\$ 65.6
Highway Patrol	\$120.7
Department of Transportation	\$ 24.5

**SAFETY OF OUR FOOD SUPPLY .....\$ 17.3**

Food and dairy consumption safety inspections and laboratory analyses that promote a safe and wholesome food supply for our citizens and visitors.

**REGIONAL PLANNING COUNCILS .....\$ 1.6**

Continued \$1.6 million appropriation in the current year to support Regional Planning Councils (RPC) by shifting non-recurring General Revenue to non-recurring trust funds. The RPCs provide technical assistance, urban revitalization, and dispute resolution services to local governments.

**ECONOMIC STIMULUS PROJECTS .....\$ 280.5**

Economic stimulus projects that benefit our local communities and our state’s economy.

Florida Recreational Development Assistance Program (FRDAP)	\$ 27.1
Water Projects	\$ 70.2
Agriculture Facilities	\$ 5.6
Cultural Facilities	\$ 16.1
Historical Preservation	\$ 17.2
Library Construction	\$ 6.3
Space, Defense, and Rural Infrastructure	\$ 22.1
Transportation Outreach Program (TOPs)	\$115.9

**WORKFORCE SERVICES .....\$ 520.0**

Workforce services that would negatively impact assisting citizens with unemployment, training /retraining, and job placement in the Agency for Workforce Innovation.

**WHAT WE DID CUT:**

**CITRUS CANCKER COMPENSATION .....(\$ 10.0)**

Reduced citrus cancker compensation from \$27.5 million to \$17.5 million. Property owners will be reimbursed \$55 (reduced down from \$100) for each tree destroyed as part of the state and federal citrus cancker eradication program.

**CHILD SUPPORT PROGRAM.....(\$ 4.3)**

Through achieved efficiencies and technology enhancements, reduced general program operational costs. No reductions were taken that would have a negative impact on the Child Support Enforcement Program.

**ADMINISTRATIVE OVERHEAD.....(\$ 4.9)**

Reduced 143 administrative positions and resources that would not impact mission critical program services.

**REPLACED GENERAL REVENUE WITH TRUST FUNDS.....(\$ 59.9)**

Replaced \$59.9 million in recurring General Revenue with agency trust funds for mission critical programs and services.

**SCHOOL READINESS PROGRAMS .....(\$ 5.0)**

School Readiness Programs are currently funded at \$186.9 million. From this amount, \$5 million was cut from an unallocated reserve that will not adversely affect the current level of services provided to children.

**STATE AID TO LIBRARIES .....(\$ 11.2)**

A proposal was considered to convert the entire recurring General Revenue appropriation for State Aid to Libraries (\$30.4 million) to non-recurring in the current fiscal year. This proposal would have completely eliminated the funding effective July 1, 2002. As a compromise, \$11,150,000 in recurring General Revenue for State Aid to Libraries was shifted to non-

recurring General Revenue – this has the effect of reducing the recurring appropriation to \$19.3 million (as opposed to zero), effective July 1, 2002.

**ENTERPRISE FLORIDA, INC.....(\$ 5.8)**

\$5.8 million from recurring General Revenue was converted to non-recurring, leaving Enterprise Florida’s operations funded in the current fiscal year and reduced on July 1, 2002.

**EXCESS CASH BALANCES .....(\$ 27.0)**

Excess cash balances were reduced from the following: \$20 million from the Department of Transportation without impacting road projects; \$7 million from the Office of Tourism, Trade and Economic Development for the High Impact Performance Incentive and Qualified Targeted Industries Incentive without negatively impacting businesses.

**WHAT WE DID FOR ECONOMIC STIMULUS:**

- \$529.1 million in the Department of Transportation to accelerate the start-up dates for highway projects that are in the current five-year adopted work program.
- \$20 million for VISIT FLORIDA to enhance marketing and outreach programs to promote Tourism.
- \$12 million in non-recurring funds available in the Florida Housing Finance Corporation’s State Housing Trust Fund for affordable housing under the State Apartment Incentive Loan Program (SAIL).

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 26-14; House 80-39*

**CS/SB 4-C — Appropriations Implementing**

by Appropriations Committee and Senator Carlton

This bill provides additional instructions to government agencies and makes temporary changes to the Florida Statutes to implement the intentions of the Legislature as manifested in the Conference Report on CS/SB 2-C, the supplemental Appropriations Act.

In order to implement the budget reductions contained in the Conference Report on CS/SB 2-C, this bill amends s. 216.023, F.S. to allow agencies and the judicial branch to propose adjustments to their legislative performance measures. Such adjustments must be proposed by January 15, 2002 and will be considered by the Legislature using the consultation process established in ch. 216, F.S. This provision expires July 1, 2002.

In order to transfer moneys from various trust funds to the Working Capital Fund in the Conference Report on CS/SB 2-C, s. 215.32, F.S., is reenacted.

In order to implement section 18 of the Conference Report on CS/SB 2-C, this bill amends s. 561.121, F.S., relating to the Children and Adolescents Substance Abuse Trust Fund to allow the Department of Children and Families to transfer funds to the Administration Trust Fund.

In order to implement Specific Appropriation 189 B of the Conference Report on CS/SB 2-C, authority granted to the Department of Children and Families and the Correctional Privatization Commission by s. 28 of ch. 2000-171, L.O.F., is rescinded. The department is required to develop a plan for a new major institution adjacent to the DeSoto Correctional Institution.

In order to implement Specific Appropriation 219 of the Conference Report on CS/SB 2-C, s. 401.113, F.S., is amended to allow the use of funds from the Emergency Medical Services Trust Fund for rural hospital capital improvement grants.

In order to implement Specific Appropriation 345 of the Conference Report on CS/SB 2-C, this bill overrides proviso in Specific Appropriation 1235 of Chapter 2001-253, L.O.F. (the FY 2001-2002 General Appropriations Act) so that if Federal Title IV-E funding is not received, the Department of Juvenile Justice is not required to transfer certain general revenue funds.

In order to implement Specific Appropriation 358 of the Conference Report on CS/SB 2-C, s. 16.555, F.S., is amended to authorize the use of the Crime Stoppers Trust Fund to fund the operations of the Department of Legal Affairs. This provision expires July 1, 2002.

In order to implement Specific Appropriations 358 and 361 of the Conference Report on CS/SB 2-C, s. 860.158, F.S., is amended to authorize the use of the Florida Motor Vehicle Theft Prevention Trust Fund to fund the operations of the Department of Legal Affairs. This provision expires July 1, 2002.

In order to implement Specific Appropriation 441-446 of the Conference Report on CS/SB 2-C, this bill amends s. 339.135, F.S., to require that the Department of Transportation's Work Program be adjusted to include the transportation projects approved as economic stimulus projects in the Conference Report. This provision expires July 1, 2002.

In order to implement Specific Appropriation 380A of the Conference Report on CS/SB 2-C, s. 581.1845, F.S., is amended to reduce the amount of compensation provided for residential citrus trees removed as part of the Canker Eradication Program from \$100 to \$55 per tree. This provision expires July 1, 2002.

In order to implement Specific Appropriation 633 of the Conference Report on CS/SB 2-C, s. 44.108, F.S., is amended to authorize the use of the Mediation and Arbitration Trust Fund to fund the operations of trial courts in the State Court System. This provision expires July 1, 2002.

In order to implement proviso following Specific Appropriation 570 of the Conference Report on CS/SB 2-C, s. 216.262, F.S., is amended to allow the Legislative Budget Commission to approve

additional positions if the Department of Corrections assumes operation of a prison previously under contract with the Correctional Privatization Commission. This provision expires July 1, 2002.

In order to implement the budget reductions contained in the Conference Report on CS/SB 2-C, agencies are directed to renegotiate contracts to achieve savings for the state without affecting services. This provision expires July 1, 2002.

In order to implement the budget reductions contained in the Conference Report on CS/SB 2-C, the bill provides that it is the policy of the state that, until July 1, 2002, state employees undertake travel only that is considered critical to the mission of the agency. Travel for law enforcement, military purposes, emergency management, and public health activities is not covered by this section. Agencies are required to consider teleconferencing and other forms of electronic communication prior to undertaking mission-critical travel.

In order to account for the budget reductions contained in the Conference Report on CS/SB 2-C, the bill states that the Governor's recommended budget for FY 2002-2003 is due by January 15, 2002.

The bill provides that a section in this bill is void if all the items in the budget to which it is tied are vetoed.

The bill provides that if any provision is held invalid, this will not affect other provisions. To this end, the provisions are declared severable.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 26-14; House 78-39*

### **HB 13-C — School District Flexibility Act**

by Rep. Lynn and others (SB 40-C by Senator Sullivan)

This bill, the "K-20 Funds Flexibility Act," provides for spending flexibility in the Department of Education and the various educational delivery systems in dealing with the reductions in the Conference Report on CS/SB 2-C. Flexibility is provided to the Commissioner of Education and the Secretary of Education to transfer funds within, but not among, specific budget entities, to each school district to amend the district's operating budget by transferring funds from specific categorical programs, and to Community College and University Boards of Trustees in amending their operating budgets by removing the restrictions identified for specific categorical appropriations. The bill repeals proviso language in the 2001-2002 General Appropriations Act relating to the guaranteed increase in the FEFP, and grants flexibility to school districts to meet new construction demands by interlocal agreements.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 40-0; House 115-2*

### **HB 25-C — Working Capital Fund/Transfers**

by Rep. Fasano (SB 72-C by Senator Carlton)

This bill reenacts the provisions of s. 215.32(2)(b), F.S., as the Legislature's most recent enactment regarding the use of trust fund moneys and, specifically, the transfer of unappropriated cash balances from trust funds to the Budget Stabilization Fund and the Working Capital Fund.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 40-0; House 120-0*

### **HB 29-C — Health Care/Medicaid**

by Rep. Murman (CS/SB 42-C by Appropriations Committee and Senator Silver)

The bill contains the following substantive provisions necessary to implement the General Appropriations Bill (CS/SB 2-C):

- Eliminates the ***Ticket-to-Work*** program allowing certain disabled individuals from age 16 to 64 who are able to work to purchase Medicaid coverage effective July 1, 2002. The Ticket-to-Work program was passed by the 2001 Legislature and funded effective April 1, 2002.
- Reduces the income standard for the ***Elderly and Disabled (MEDS/AD) Program*** from 90 percent to 88 percent of poverty effective July 1, 2002.
- Eliminates Medicaid coverage for adults eligible through the ***Medically Needy Program*** with the exception of pregnant women effective July 1, 2002. Coverage for the Medically Needy Program is not available to presumptively eligible pregnant women.
- Eliminates Medicaid coverage for ***Adult Dental, Visual, and Hearing*** services effective July 1, 2002.
- Authorizes the Agency to limit or eliminate coverage for certain ***Project AIDS Care Waiver*** services to comply with limitations in the General Appropriations Act.
- Limits enrollment levels in the ***Pharmaceutical Expense Assistance Program*** to the annual appropriation in the General Appropriations Act. Authorizes the Agency to develop waiting lists based on application dates to be used in enrolling individuals in unfilled enrollment slots.

- Expands ***fraud and abuse*** prevention, detection, investigative, and sanctioning strategies to minimize fraud and abuse in the Medicaid program effective upon the bill becoming a law.
- Authorizes ***Special Medicaid Payments*** to qualified Medicaid providers only if necessary to meet the requirements for intergovernmental transfers to the Grants and Donations Trust Fund during FY 2001-2002 only. Provides that the Agency may use intergovernmental transfers from state entities to serve as the state share of the payments.
- Authorizes a ***variable dispensing fee*** for the dispensing of preferred-drug-list products. Provides for an increase of 50 cents in the dispensing fee for dispensing of a Medicaid preferred-drug-list product and a decrease of 50 cents in the dispensing fee for the dispensing of a Medicaid product that is not included on the preferred-drug list.
- Authorizes the Agency to expand home delivery of pharmacy products by expanding its current ***mail-order-pharmacy diabetes-supply program*** to include all generic and brand-name drugs used by Medicaid patients with diabetes. Recipients in the program may obtain non-diabetes drugs on a voluntary basis. This initiative is limited to the current geographic area covered by the contract. The Agency is authorized to apply for and implement any necessary federal waivers.
- Eliminates the current requirement for contacting a Medicaid recipient and providing ***choice counseling*** for MediPass or managed care plans for recipients subject to mandatory managed care enrollment effective July 1, 2002.
- Defines “***managed care plans***” to include exclusive provider organizations (EPOs), provider service networks (PSNs), minority physician networks, and pediatric emergency department division programs authorized by the General Appropriations Act effective upon the bill becoming a law. This authorization is only for the purpose of mandatory assignments of Medicaid clients to managed care plans.
- Eliminates ***consumer satisfaction surveys*** for nursing homes.
- Establishes a ***local matching*** requirement of \$0.00 for the Title XXI program, operated by the Florida Healthy Kids Corporation, in each county of the state for FY 2001-2002 and operates retroactively to July 1, 2001. This language expires July 1, 2002.

If approved by the Governor, these provisions take effect January 1, 2002 unless otherwise specifically provided in this act.

*Vote: Senate 22-13; House 79-40*

### **SB 30-C — Compensation of Legislative Members**

by Senator Carlton

The bill repeals the salary increase for FY 2001-2002 awarded to members of the Legislature on July 1, 2001. The bill is effective upon becoming law and expires June 30, 2002.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 34-4; House 110-6*

### **SB 32-C — Vessel Registration Fees**

by Senator Clary

This bill amends s. 328.72 F.S., to state that the county portion of vessel registration fees is derived from recreational vessels only. The bill also clarifies that the first \$1 of the county share of fees will be deposited in the Save the Manatee Trust Fund.

This bill amends s. 328.76, F.S., to clarify that \$1.50 of both the commercial and recreational vessel registration fees are deposited in the Save the Manatee Trust Fund.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 30-7; House 108-4*

### **SB 34-C — Pilot Program/Attorneys Ad Litem**

by Senator Cowin

This bill implements the budget reductions in CS/SB 2-C by amending s. 39.4086, F.S., to delete all funding currently appropriated to operate a pilot Attorney Ad Litem program in the Ninth Judicial Circuit (Orange and Osceola Counties). The bill allows the Office of the State Courts Administrator to conduct a pilot program subject to the specific appropriation of funds.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 37-2; House 106-1*

### **HB 65-C — County Article V Trust Fund**

by Rep. Ball (SB 38-C by Senator Cowin)

This bill, as amended by the Senate, implements the budget reductions in CS/SB 2-C and amends s. 25.402, F.S., regarding the distribution of County Article V Trust Funds to:

- Provide that trust fund revenues may be used for the operation of trial courts, and

- Require the Supreme Court to adopt a plan to allocate and disburse funds to counties only **when** the Legislature appropriates Article V Trust Funds to directly support state-funded state court system operations.

The amended bill does not extend the life of the trust fund, which will be reviewed during the 2002 regular session in accordance with the normal schedule for trust fund reviews.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 36-3; House 117-0*

### **HB 69-C — Inmate Welfare Trust Fund**

by Rep. Ball (SB 76-C by Senator Carlton)

This bill:

- Amends s. 945.215, F. S., to authorize the Secretary of the Department of Corrections to increase the amount that inmates can spend for canteen purchases from \$45 per week up to \$100 per week, at the discretion of the secretary. It is anticipated that this will increase trust fund revenues by \$3.0 million on an annual basis, which can be used to provide inmate substance abuse and educational programs.
- Amends s. 957.07, F.S., to establish a procedure to develop consensus per diem rates for privately-operated state prisons. Legislative intent is that the consensus per diem rates will be used to determine the annual level of funding for private prisons. The bill also provides that if private vendors choose to not renew their contracts at the appropriated level, the contracts will be terminated.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 38-0; House 99-16*



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## Senate Committee on Comprehensive Planning, Local and Military Affairs

### **SB 52-C — Florida Building Code**

by Senator Clary

Senate Bill 52-C delays the effective date of the new Florida Building Code two months, from January 1, 2002 to March 1, 2002. In addition, the bill:

- Delays by two months the application of credits, discounts, or other rate differentials insurance companies must make for properties built under the new Florida Building Code;
- Delays by two months the incorporation of the Uniform Code for Public Educational Facilities into the new Florida Building Code;
- Clarifies that the updated codes approved since 1988 by the Florida Building Commission are in force until the new Florida Building Code becomes effective;
- Clarifies that building permits applied for prior to the effective date of the new code are governed by the state minimum code in effect on the date of permit application;
- Requires local governments to enact ordinances establishing wind speed zone boundaries by January 1, 2002, two months before the proposed effective date of the new Florida Building Code; in the event local governments do not enact such ordinances, the Department of Community Affairs must adopt an emergency rule to set the boundaries;
- Specifies that the residential swimming pool safety requirement of the Florida Building Code will take effect January 1, 2002;
- Extends the deadline for educational facilities building code administrators, plans examiners, or inspectors to apply for a limited certificate; and
- Allows design professionals to design to the new Florida Building Code between January 1, 2002 and February 28, 2002, notwithstanding that the implementation of the new code is delayed until March 1, 2002.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 36-4; House 115-2*



**SB 6-C — Terrorism/Pretrial Detention**

by Senators Brown-Waite, Smith, and Crist

The bill creates s. 775.30, F.S., which defines the term “terrorism” for the purposes of the Florida Criminal Code. The bill also provides that a person charged with an act of terrorism cannot be granted nonmonetary pretrial release at a first appearance hearing.

These provisions became law upon approval by the Governor on December 10, 2001.

*Vote: Senate 37-0; House 118-0*

**SB 8-C — Sentencing/Act of Terrorism**

by Senators Brown-Waite, Smith, and Crist

The bill creates s. 775.31, F.S., which provides for the reclassification of the misdemeanor or felony degree of any criminal offense if the trier of fact finds that the commission of the felony or misdemeanor facilitated or furthered the commission of any act of terrorism. The bill directs how the reclassified offense is to be ranked.

The bill also amends s. 782.04, F.S., the murder statute, for the purpose of amending the felony murder provisions of that statute that constitute murder in the first or second degree. The amendments add any felony that is an act of terrorism or is in furtherance of an act of terrorism to those felony murder provisions.

These provisions became law upon approval by the Governor on December 10, 2001.

*Vote: Senate 38-0; House 119-0*

**CS/SB 10-C — Poisoning**

by Criminal Justice Committee and Senators Brown-Waite, Smith, Crist, and Futch

The bill amends s. 859.01, F.S., the statute that punishes poisoning of food, drink, medicine, or certain water supplies, with the intent to kill or injure another person. The amendment expands the scope of the statute to punish a person who, with intent to kill or injure another person, does the following:

1. Introduces or adds any poison with food, drink, or medicine;
2. Introduces, adds or mingles any bacterium, radioactive material, virus, or chemical compound with food, drink, medicine, or any product designed to be ingested, consumed, or applied to the body; or

3. Willfully introduces, adds, or mingles any bacterium, radioactive material, virus, or chemical compound into any spring, well, or reservoir.

These provisions became law upon approval by the Governor on December 10, 2001.

*Vote: Senate 38-0; House 119-0*

## **SB 12-C — Communications Interception**

by Senators Brown-Waite, Smith, and Crist

The bill amends s. 934.07, F.S., to provide that the Governor, the Attorney General, the Statewide Prosecutor, or any State Attorney may authorize an application to a judge of competent jurisdiction for the interception of wire, oral, or electronic communication by:

1. The Department of Law Enforcement or any law enforcement agency having responsibility for the investigation of the offense as to which the application is made when such interception may provide or has provided evidence of the commission of the offense of *aircraft piracy* or solicitation to commit any violation of the laws of this state relating to crimes specifically enumerated in the statute as crimes for which an intercept may be ordered.
2. The Department of Law Enforcement for the investigation of the offense as to which application is made when such interception may provide or has provided evidence of the commission of any offense that may be an *act of terrorism* or in furtherance of an act of terrorism or evidence of any conspiracy or solicitation to commit any such violation.

The bill also amends s. 934.09, F.S., to provide an additional exemption from the requirement that an application for an intercept identify the facilities from which, or the place where, the communication is to be intercepted. This exemption relates to a person whose communications are to be intercepted when the person has removed, or is likely to remove, himself or herself to another judicial circuit within the state.

The bill further amends s. 934.09, F.S., to provide that the courts may authorize continued interception within this state in investigations of acts of terrorism. The continued interception can occur both within and outside the jurisdiction of the court authorizing the interception, if the original interception occurred within that court's jurisdiction.

These provisions became law upon approval by the Governor on December 10, 2001, but are only effective until July 1, 2004.

*Vote: Senate 37-0; House 117-1*

### **CS/SB 14-C — Agriculture and Consumer Services Department**

by Criminal Justice Committee and Senators Geller and Futch

This bill authorizes the Department of Agriculture and Consumer Services (department) to establish, by rule, requirements for aircraft used in the aerial application of pesticides, fertilizers, and/or seed. Such requirements may include record keeping, annual aircraft registration, secure storage when not in use, area-of-application information, and reporting of any sale, lease, purchase, rental, or transfer of such aircraft to another person. The bill also provides for the department to establish, by rule, requirements for the secure storage of pesticides and fertilizers.

The bill requires the department to report to the President of the Senate and Speaker of the House of Representatives on the implementation of rules authorized by this act. It also requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review the cost impact to the aerial application industry of the implementation of any rules adopted pursuant to this act.

These provisions became law upon approval by the Governor on December 10, 2001.

*Vote: Senate 37-1; House 119-0*

### **CS/SB 16-C — Public Records/Security-System Plan**

by Criminal Justice Committee and Senators Brown-Waite, Smith, and Crist

The bill creates in a new s. 119.071, F.S., an exemption currently contained in s. 281.301, F.S., that security system plans of a public or private entity, which plans are in the possession of an agency, are confidential and exempt from public records requirements. Additionally, the bill specifically defines the phrase “security system plan.” The bill also creates a public meetings exemption in a new s. 286.0113, F.S., for meetings at which these plans are discussed. Findings are provided in support of the exemptions.

The exemptions stand repealed on October 2, 2006, unless reenacted.

These provisions became law upon approval by the Governor on December 10, 2001.

*Vote: Senate 38-0; House 115-3*

### **CS/SB 18-C — Public Records/Emergency-Management**

by Criminal Justice Committee and Senators Brown-Waite, Smith, and Crist

This bill creates s. 396.1056, F.S., which provides that hospital comprehensive emergency management plans that establish planned responses to acts of terrorism are confidential and exempt from public records and meetings requirements. It also provides that a certification of sufficiency of a plan by the Governor is not exempt. Findings are provided in support of the exemption.

The exemptions stand repealed on October 2, 2006, unless reenacted.

These provisions became law upon approval by the Governor on December 10, 2001, the same date that SB 6-C (legislation defining “terrorism” for purposes of the Florida Criminal Code) took effect.

*Vote: Senate 38-0; House 116-2*

### **CS/SB 20-C — Public Records/Pharmaceutical**

by Criminal Justice Committee and Senators Brown-Waite, Smith, and Crist

This bill creates an exemption from public records requirements for the name, location, pharmaceutical cache, contents, capacity, equipment, physical features, or capabilities of pharmaceutical depositories for response to a terrorist act. The certification by the Governor of the sufficiency of the location of, and other specified information pertaining to, the pharmaceutical depository is a public record. Findings are provided in support of the exemption.

The exemption stands repealed on October 2, 2006, unless reenacted.

These provisions became law upon approval by the Governor on December 10, 2001, the same date that SB 6-C (legislation defining “terrorism” for purposes of the Florida Criminal Code) took effect.

*Vote: Senate 38-1; House 116-2*

### **CS/SB 22-C — Public Records/Law Enforcement**

by Criminal Justice Committee and Senators Brown-Waite, Smith, and Crist

This bill amends s. 119.07(3), F.S., to create an exemption from public records requirements for requests by a law enforcement agency for public records in the custody of another agency, the custodian’s response to that request, and any information that would identify the public record requested or provided, during the period in which the information constitutes active criminal intelligence or active investigative information. Notice of when the record becomes public again is required. Findings are provided in support of the exemptions.

The exemption stands repealed on October 2, 2007, unless reenacted.

These provisions became law upon approval by the Governor on December 10, 2001.

*Vote: Senate 37-1; House 117-2*

## **SB 24-C — Domestic Security/Counter-Terrorism**

by Senators Crist and Brown-Waite

The bill provides legislative intent that the Department of Law Enforcement coordinate and direct the law enforcement, initial emergency, and other initial responses to acts of terrorism within or affecting this state. The department shall work closely with the Division of Emergency Management; other federal, state, and local law enforcement agencies; fire and rescue agencies, first-responder agencies; and others involved in preparation against and responses to such terrorism.

The bill also requires the executive director of the Department of Law Enforcement to serve as or designate a Chief of Domestic Security Initiatives. The bill establishes the duties and responsibilities of the chief, which include, but are not limited to, coordinating the department's ongoing assessment of this state's vulnerability to, and ability to detect and respond to, acts of terrorism; conducting specified security assessments; making recommendations for minimum security standards, funding and training requirements and other security matters; and developing best practices for safety and security.

The bill also requires the department to establish a regional domestic security task force in each of the department's operational regions to serve in an advisory capacity to the Chief of Domestic Security Initiatives. Goals and objectives of each task force include, but are not limited to, coordinating efforts, training, and the collection and dissemination of investigative and intelligence information relevant to countering terrorism; identifying appropriate equipment and training needs, curricula, and materials relevant to responding to acts of terrorism or incidents involving real or hoax weapons of mass destruction; and ensuring that there are appropriate investigations and responses to hate-driven acts against ethnic groups that may have been targeted as a result of acts of terrorism.

These provisions became law upon approval by the Governor on December 10, 2001.

*Vote: Senate 37-0; House 119-0*

## **SB 26-C — Domestic Security/Counter-Terrorism**

by Senators Crist and Brown-Waite

The bill creates a Florida Domestic Security and Counter-Terrorism Intelligence Center within the Department of Law Enforcement. The center gathers, documents and analyzes active criminal intelligence and active criminal investigative information related to terrorism; maintains and operates a counterterrorism database; and provides support and assistance to federal, state, and local law enforcement agencies and prosecutors and information that is available from other law enforcement databases.

The bill provides that information exempt from public disclosure under ch. 119, F.S., when in possession of the center retains its exemption after such information is revealed to a federal,

state, or local law enforcement agency or prosecutor, except as otherwise provided by law. Information obtained by the center from a federal, state, or local law enforcement agency or prosecutor retains its exemption from public disclosure after such information is revealed to the intelligence center, except as otherwise provided by law.

These provisions became law upon approval by the Governor on December 10, 2001.

*Vote: Senate 38-0; House 115-1*

**HB 27-C — Budget Stabilization Fund**

by Rep. Lacasa (SB 46-C by Senators Pruitt and Sanderson)

This bill allows the Comptroller to borrow funds from the Budget Stabilization Fund to prevent a deficit in the General Revenue Fund if, after consultation with the Revenue Estimating Conference, he believes that a General Revenue Fund deficit will occur and one of the following conditions is met:

- There are fewer than 30 but more than 4 days left in the fiscal year, and
  - The Legislature is not in session or scheduled to be in session before the end of the fiscal year, and
  - The Legislative Budget Commission is not scheduled to meet before the end of the fiscal year.
- There are fewer than 5 days left in the fiscal year and neither the Governor and the Chief Justice, the Legislature, nor the Legislative Budget Commission have implemented measures to resolve the deficit.

If any funds are withdrawn from the Budget Stabilization Fund, the bill requires repayment from any General Revenue “balance forward” at the beginning of the next fiscal year. If that balance forward does not provide full repayment, the Budget Stabilization Fund will be repaid in five equal annual payments.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 39-0; House 120-0*

**SB 44-C — Intangible Property Tax**

by Senators Pruitt and Geller

This bill postpones increases in the intangibles tax standard exemptions for natural persons and married couples filing jointly, and a new \$250,000 exemption for taxpayers that are not natural persons, from January 1, 2002 until July 1, 2003. At that time the exemption for natural persons will increase from \$20,000 to \$250,000 and for married couples from \$40,000 to \$500,000, and other taxpayers will receive a \$250,000 exemption. The new exemptions will apply to taxes due in 2004. The bill also authorizes the Department of Revenue to adopt emergency rules to implement these changes.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 36-2; House 102-17*

**SB 64-C — Local Government/Financial Emergency**

by Senators Silver and Garcia

During 2001 Special Session “B,” the Legislature passed SB 54-B, which amended s. 218.503(5)(a), F.S., authorizing the governing authority of any municipality having a resident population of 300,000 or more on or after April 1, 1999, which has been declared in a state of financial emergency pursuant to s. 218.503(5), F.S., to impose the discretionary parking surcharge. The bill was intended to correct a constitutional deficit identified by the Third District Court of Appeal, and allow the City of Miami to continue to collect the 20 percent parking surcharge. In addition, it was the intent of the Legislature, as reflected in the Senate Journal (October 25, 2001, page 49), that SB 54-B be a clarification of existing law as passed in the 1999 regular session of the Legislature, and that the use of proceeds from the parking surcharge collected and expended pursuant to s. 218.503(5), F.S., prior to the effective date of this act, be ratified.

Senate Bill 54-B was approved by the Governor on November 30, 2001. Subsequently, the City of Miami urged the Legislature to adopt intent language in order to clarify that the Legislature intended to ratify the use of parking surcharge proceeds collected and expended before passage of SB 54-B.

Senate Bill 64-C ratifies any municipal ordinance imposing a parking surcharge in accordance with s. 218.503(5), F.S., before its amendment by SB 54-B in 2001 Special Session “B” of the Florida Legislature.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 40-0; House 103-12*

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